

## CHAPTER 428

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**LABOR AND INDUSTRY**


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**HOUSE BILL 23-1196**

BY REPRESENTATIVE(S) Lieder, Bacon, Bird, Boesenecker, Brown, Daugherty, deGruy Kennedy, Dickson, Duran, Froelich, Garcia, Gonzales-Gutierrez, Hamrick, Herod, Jodeh, Joseph, Kipp, Lindsay, Lindstedt, Mabrey, Michaelson Jenet, Ortiz, Parenti, Ricks, Sharbini, Snyder, Story, Titone, Velasco, Vigil, Weissman, Willford, Woodrow, McCluskie;  
also SENATOR(S) Sullivan, Buckner, Cutter, Ginal, Hinrichsen, Jaquez Lewis, Kolker, Moreno, Mullica, Winter F.

**AN ACT**

**CONCERNING CLARIFYING THAT WORKERS' COMPENSATION IS NOT THE EXCLUSIVE REMEDY FOR PERSONS AGGRIEVED BY VIOLATIONS OF THE "COLORADO YOUTH EMPLOYMENT OPPORTUNITY ACT OF 1971".**

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** In Colorado Revised Statutes, **amend** 8-12-117 as follows:

**8-12-117. Remedies for violations - workers' compensation - remedies at law and in equity.** (1) All minors, whether lawfully or unlawfully employed, ~~shall be~~ **ARE** subject to the rights and remedies of the "Workers' Compensation Act of Colorado", articles 40 to 47 of this ~~title~~ **TITLE** 8, if the employer is included within the meaning of section 8-40-203.

(2) PERSONS AGGRIEVED BY VIOLATIONS OF THIS ARTICLE 12 MAY PURSUE REMEDIES AT LAW AND IN EQUITY, INCLUDING REMEDIES IN TORT, AND REMEDIES UNDER THE "WORKERS' COMPENSATION ACT OF COLORADO", ARTICLES 40 TO 47 OF THIS TITLE 8, IF:

(a) AN INJURY OCCURS TO A MINOR DURING A WEEK WHEN THE EMPLOYER INTENTIONALLY REQUIRED THE MINOR TO WORK HOURS IN VIOLATION OF THOSE ALLOWED BY THIS ARTICLE 12; OR

(b) AN INJURY OCCURS TO A MINOR WHILE THE MINOR WAS ENGAGING IN WORK PROHIBITED BY THIS ARTICLE 12.

(3) ECONOMIC DAMAGES FOR CLAIMS IN TORT RECOVERED BY A PARTY

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

AGGRIEVED BY A VIOLATION OF THIS ARTICLE 12 AGAINST THE EMPLOYER OF A MINOR PURSUANT TO SUBSECTION (2) OF THIS SECTION MUST BE REDUCED BY THE AMOUNT OF COMPENSATION AND BENEFITS THAT THE MINOR OR THE MINOR'S DEPENDENTS RECEIVED FOR THE SAME HARM THROUGH THE EMPLOYER'S WORKERS' COMPENSATION INSURANCE POLICY PURSUANT TO ARTICLES 40 TO 47 OF THIS TITLE 8.

**SECTION 2. Effective date - applicability.** This act takes effect July 1, 2023, and applies to violations committed on or after said date.

**SECTION 3. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Approved: June 7, 2023